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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

HOWARD K. STERN,

Plaintiff,

vs.

MOTION TO ADMIT *PRO HAC VICE*

RITA COSBY and
HACHETTE BOOK GROUP USA, INC.
d/b/a Grand Central Publishing, and
JOHN or JANE DOE,

Case No. 07-CIV-8536-DC

Defendants.

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Lisa DiPoala Haber, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of

M. Krista Barth
Law Office of Eric M. Sauerberg, PA
200 Village Square, Suite 102
Palm Beach Gardens, FL 33401
561.776.0330 – Tel
561.776.0302 – Fax

Ms. Barth is a member in good standing of the Bar of the State of Florida. There are no pending disciplinary proceedings against Ms. Barth in any State or Federal court.

Dated: June 10, 2008

GILBERTI STINZIANO HEINTZ & SMITH, P.C.

Lisa DiPoala Haber, Esq. (Bar Roll #LH0989)
Attorneys for Plaintiff Howard K. Stern
885 Third Avenue, Suite 2730
New York, New York 1022-4834
Telephone: (212) 588-8868
Facsimile: (212) 588-8894

JUN 12 2008

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GILBERTI STINZIANO HEINTZ & SMITH, P.C.
ATTORNEYS AND COUNSELORS AT LAW
555 EAST GENESEE STREET
SYRACUSE, NEW YORK 13202-2159

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

HOWARD K. STERN,

Plaintiff,

vs.

RITA COSBY and
HACHETTE BOOK GROUP USA, INC.
d/b/a Grand Central Publishing, and
JOHN or JANE DOE,

Defendants.

**AFFIDAVIT OF LISA
DIPOALA HABER, ESQ. IN
SUPPORT OF MOTION TO
ADMIT M. KRISTA BARTH,
ESQ. *PRO HAC VICE***

Case No. 07-CIV-8536-DC

STATE OF NEW YORK)
) s.s.:
COUNTY OF ONONDAGA)

Lisa DiPoala Haber, being duly sworn, hereby deposes and says as follows:

1. I am a partner in the law firm of Gilberti Stinziano Heintz & Smith, P.C., local counsel for the Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein. I submit this affidavit in support of Plaintiff's motion to admit *pro hac vice*, M. Krista Barth, an attorney admitted to practice law in the State of Florida with an office address of Eric M. Sauerberg, P.A., 200 Village Square Crossing, Suite 102, Palm Beach Gardens, Florida 33410; telephone number (561) 776-0330.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1990.

3. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

4. Gilberti Stinziano Heintz & Smith, P.C., will continue to act as local counsel to Powell Goldstein LLP in this action.

5. I have met Ms. Barth on one occasion. I understand that L. Lin Wood, Esq., lead counsel for Plaintiff, knows and has worked with Ms. Barth.

6. Upon information and belief, Ms. Barth was admitted to practice law in the State of Florida on February 22, 2001; in the State of New York, Appellate Division, Third Department, on August 22, 2007; in the State of Maryland, Court of Appeals, on December 14, 1993; and, in the District of Columbia, Court of Appeals, on December 2, 1994..

7. Certificates of Good Standing reflecting Ms. Barth's good standing as an attorney admitted to the bar of the State of Florida, of the State of Maryland, of the State of New York, and of the District of Columbia are annexed hereto and made part hereof as Exhibit A.

8. It is my understanding that Ms. Barth is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

9. I believe that Plaintiff will benefit from Ms. Barth's participation as counsel for the Plaintiff in this lawsuit as it is my understanding that Ms. Barth has and continues to represent Plaintiff in other potentially related matters.

10. It is my understanding that there are no pending disciplinary proceedings against Ms. Barth in any state or federal courts.

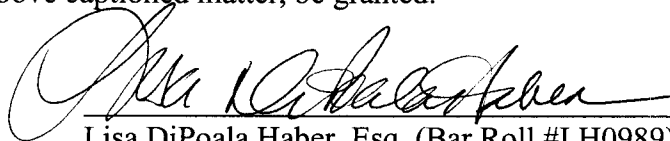
11. I believe that Ms. Barth meets all of the qualifications for admission *pro hac vice* and to practice law before the courts of this State.

12. Accordingly, I am pleased to move for the admission of M. Krista Barth, *pro hac vice*.

13. I respectfully submit a proposed order granting the admission of M. Krista Barth, *pro hac vice*, which is attached hereto as Exhibit B.

WHEREFORE, it is respectfully requested that the motion to admit M. Krista Barth, *pro hac vice*, to represent Plaintiff in the above captioned matter, be granted.

Dated: June 11, 2008
New York, New York



Lisa DiPoala Haber, Esq. (Bar Roll #LH0989)

Sworn to before me this 11th day
of June, 2008.



Notary Public

MICHELLE L. SMOLAK

Notary Public, State of New York
Qualified in Cayuga Co. No. 2255
My Commission Expires Nov. 13, 2010

GILBERTI STINZIANO HEINTZ & SMITH, P.C.
ATTORNEYS AND COUNSELORS AT LAW
555 EAST GENESEE STREET
SYRACUSE, NEW YORK 13202-2159

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

HOWARD K. STERN,

Plaintiff,

vs.

RITA COSBY and
HACHETTE BOOK GROUP USA, INC.
d/b/a Grand Central Publishing, and
JOHN or JANE DOE,

Defendants.

**AFFIDAVIT OF L. LIN
WOOD, ESQ. IN SUPPORT
OF MOTION TO ADMIT
M. KRISTA BARTH, ESQ.
*PRO HAC VICE***

Case No. 07-CIV-8536-DC

STATE OF GEORGIA)
) s.s.:
COUNTY OF)

L. Lin Wood, being duly sworn, hereby deposes and says as follows:

1. I am a partner in the law firm of Powell Goldstein LLP, and I am lead counsel for the Plaintiff in the above captioned action. I was admitted to practice pro hac vice before this Court by Order of this Court dated October 2, 2008.

2. I am a member in good standing of the bar of the State of Georgia, and was admitted to practice law in 1977.

3. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein. I submit this affidavit in support of Plaintiff's motion to admit *pro hac vice*, Krista Barth, an attorney admitted to practice law before the courts of the State of Florida with offices located at: 200 Village Square, Palm Beach Gardens, FL 33401.

4. I have known and worked with Ms Barth over the past year and a half on other potentially related litigation involving Plaintiff.

5. In working with Ms. Barth, I have found her to be a skilled attorney and a person of integrity. I understand that Ms. Barth is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

6. Gilberti Stinziano Heintz & Smith, P.C., will continue to act as local counsel to Powell Goldstein LLP in this action.

7. I believe that Plaintiff will benefit from Ms. Barth's participation as counsel for the Plaintiff in this lawsuit.

8. I believe that Ms. Barth meets all of the qualifications for admission *pro hac vice* and to practice law before the courts of this State.

9. Accordingly, I am pleased to move for the admission of Krista Barth, *pro hac vice*.

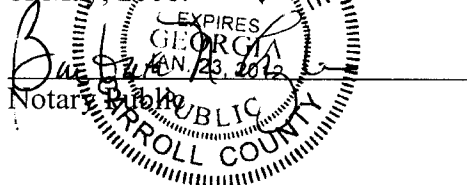
WHEREFORE, it is respectfully requested that the motion to admit Krista Barth, *pro hac vice*, to represent Plaintiff in the above captioned matter, be granted.

Dated: May 28, 2008
New York, New York



L. Lin Wood, Esq.

Sworn to before me this 28th day
of May, 2008.



**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

HOWARD K. STERN,

Plaintiff,

vs.

RITA COSBY and
HACHETTE BOOK GROUP USA, INC.
d/b/a Grand Central Publishing, and
JOHN or JANE DOE,

Defendants.

RECEIVED

BY

DATE

AFFIDAVIT OF SERVICE

Case No. 07-CIV-8536-DC

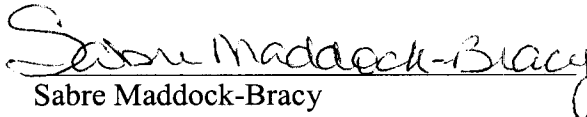
STATE OF NEW YORK)
) ss:
COUNTY OF ONONDAGA)

SABRE MADDOCK-BRACY, being duly sworn, deposes and states that she is over the age of 18 years; that she is not a party to this action; that she resides in Martville, New York; and that on the 11th day of June, 2008, she served a copy of a Motion to Admit *Pro Hac Vice* dated June 10, 2008; Affidavit of Lisa DiPoala Haber, Esq. in Support of Motion to Admit M. Krista Barth, Esq., *Pro Hac Vice* sworn to June 11, 2008, with Exhibits A and B annexed thereto; and Affidavit of L. Lin Wood, Esq. in Support of Motion to Admit M. Krista Barth, Esq. *Pro Hac Vice* sworn to May 28, 2008 upon:

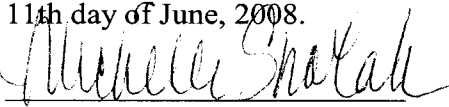
Elizabeth A. McNamara, Esq.
Elisa L. Miller, Esq.
Davis Wright Tremaine LLP
1633 Broadway
New York, New York 10019

Doug Maynard, Esq.
Deborah J. Newman, Esq.
Akin Gump Strauss Hauer & Feld LLP
590 Madison Avenue
New York, NY 10022-2524

via First Class Mail by depositing same in a properly addressed envelope, in an official depository under the exclusive care and custody of United States Postal Service.


Sabre Maddock-Bracy

Sworn to before me this
11th day of June, 2008.


Notary Public

MICHELLE L. SMOLAK

Notary Public, State of New York
Qualified in Cayuga Co. No. 2255

My Commission Expires Nov. 13, 2010

Supreme Court of Florida

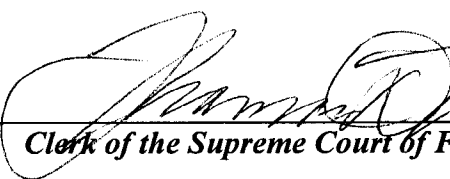
Certificate of Good Standing

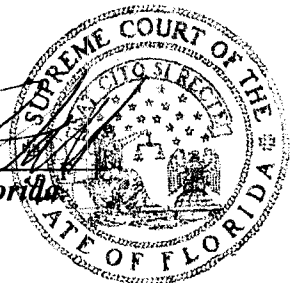
*I THOMAS D. HALL, Clerk of the Supreme Court of the State of Florida, do
hereby certify that*

MARY KRISTA BARTH

*was admitted as an attorney and counselor entitled to practice law in all the
Courts of the State of Florida on February 22, 2001, is presently in good
standing, and that the private and professional character of the attorney
appear to be good.*

*WITNESS my hand and the Seal of the
Supreme Court of Florida at Tallahassee,
the Capital, this June 2, 2008.*


Clerk of the Supreme Court of Florida





State of New York
Supreme Court, Appellate Division
Third Judicial Department

I, Michael J. Novack, Clerk of the Appellate Division of the Supreme Court of the State of New York, Third Judicial Department, do hereby certify that

Mary Krista Barth

having taken and subscribed the Constitutional Oath of Office as prescribed by law, was duly licensed and admitted to practice by this Court as an Attorney and Counselor at Law in all courts of the State of New York on the 22nd day of August, 2007, is currently in good standing and is registered with the Administrative Office of the Courts as required by section four hundred sixty-eight-a of the Judiciary Law.

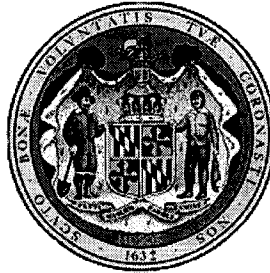
In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Court, at the City of Albany, this 2nd day of June, 2008.

Michael J. Novack

Clerk



**Court of Appeals
of Maryland
Annapolis, MD**



CERTIFICATE OF GOOD STANDING

STATE OF MARYLAND, ss:

*I, Bessie M. Decker, Clerk of the Court of Appeals of Maryland,
do hereby certify that on the fourteenth day of December, 1993,*

M. Krista Barth

*having first taken and subscribed the oath prescribed by the Constitution and
Laws of this State, was admitted as an attorney of said Court, is now in good
standing, and as such is entitled to practice law in any of the Courts of said
State, subject to the Rules of Court.*

In Testimony Whereof, *I have hereunto
set my hand as Clerk, and affixed the Seal
of the Court of Appeals of Maryland, this
second day of June, 2008.*

Bessie M. Decker

Clerk of the Court of Appeals of Maryland



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia
Court of Appeals, do hereby certify that

M. KRISTA BARTH

was on the 2ND day of DECEMBER, 1994
duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on June 4,
2008.

GARLAND PINKSTON, JR., CLERK

By: M. Charles
Deputy Clerk

**IN THE UNITED STATES DISTRICT COURT
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JOHN or JANE DOE,

Defendants.

**ORDER FOR ADMISSION
PRO HAC VICE ON
WRITTEN MOTION**

Case No. 07-CIV-8536-DC

UPON the motion of Lisa DiPoala Haber, Esq. of Gilberti Stinziano Heintz & Smith, P.C., local counsel for Plaintiff Howard K. Stern, said sponsor attorney's affidavit in support, and the Affidavit of L. Lin Wood, Esq., sworn to May 28, 2008, as lead counsel for Plaintiff;

IT IS HEREBY ORDERED that

M. Krista Barth
Law Office of Eric M. Sauerberg, PA
200 Village Square, Suite 102
Palm Beach Gardens, FL 33401
561.776.0330 – Tel
561.776.0302 – Fax

is admitted to practice *pro hac vice* as counsel for Plaintiff Howard K. Stern in the above captioned case in the United States Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: June __, 2008
New York, New York

United States District/Magistrate Judge